

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 16, 2002
SAN FRANCISCO, CALIFORNIA**

S109537

C039187 Third Appellate District

PEOPLE v. CANTY (ELAINE)

Petition for review granted (criminal case)

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S109746G028636 Fourth Appellate District,
Division Three

BURRIS v. S.C. (PEOPLE)

Petition for review granted (criminal case)

Votes: George C.J., Kennard, Werdegar &
Chin JJ.

S106503B146708 Second Appellate District,
Division Five

JARROW FORMULAS v. LAMARCHE

Briefing ordered

The petition for review in this matter was granted on June 12, 2002, and further action was deferred pending consideration and disposition of related issues in *Equilon Enterprises v. Consumer Cause Inc.* (2002) 29 Cal.4th 53, *City of Cotati v. Cashman* (2002) 29 Cal.4th 69, and *Navellier v. Sletten* (2002) 29 Cal.4th 82, or pending further order of this court. At that time, the submission of briefing also was deferred pending further order of the court. Petitioner is now directed to serve and file a Brief on the Merits on or before November 15, 2002. Additional briefing is to be served in a timely fashion. (See rule 29.3(a), Cal. Rules of Court.)

S109223B145828 Second Appellate District,
Division Six

PEOPLE v. WOLLSCHLAGER

Review granted/briefing deferred
(rule 29.3) – criminal case

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v Williams*, S107266 (see Cal. Rules of Court, rule 29.2 (c)), or pending further order of the court. Submission of additional briefing, pursuant to

California Rules of Court, rule 29.3, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S108650

B156228 Second Appellate District,
Division Four

JOHNSON (FOSTER) ON H.C.

Review granted; transferred to CA 2/4 to issue OSC

That court is ordered to vacate its summary denial order dated July 10, 2002, and is further ordered to issue an order to show cause, returnable before the Los Angeles County Superior Court. The Director of Corrections is to be ordered to show cause, when the matter is placed on calendar, why the trial court did not improperly sentence petitioner to two consecutive sentences of 25 years to life under Penal Code section 667.61, and why petitioner is not entitled to resentencing. (See, Pen. Code, § 667.61(g); *People v. Jones* (2001) 25 Cal.4th 98, 107.) The return shall be filed on or before November 18, 2002.

Votes: George C.J., Kennard, Baxter, Werdegar, Chin, Baxter & Moreno JJ.

S109604

D040584 Fourth Appellate District,
Division One

**WINDHAM AT CARMEL MOUNTAIN RANCH
ASSN. v. S.C. (PRESLEY COMPANIES et al.)**

Review granted; transferred to CA 4/1 to issue OSC with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

Votes: George, CJ., Kennard, Chin, Brown and Moreno, JJ.

S109731

B160110 Second Appellate District,
Division Four

JACKSON v. S.C. (PEOPLE)

Review granted; transferred to CA 2/4 to issue
alternative writ

with directions to vacate its order denying
mandate and to issue an alternative writ to be
heard before that court when the proceeding is
ordered on calendar. (See *People v. Hoffard*
(1995) 10 Cal.4th 1170, 1179.)

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S090239

B127059 Second Appellate District,
Division Four

PEOPLE v. MILLER

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal,
Second Appellate District, Division Four.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S093980

C030923 Third Appellate District

PEOPLE v. REAY

Transferred to CA 3 after grant of review

with directions to vacate its decision and to
reconsider the cause in light of *People v.*
Anderson (2002) 28 Cal. 4th 767.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S095856

H019290 Sixth Appellate District

PEOPLE v. BOWIN

Dismissed as improvidently granted (rule 29.4 (c))

the above-entitled review is DISMISSED and
cause is remanded to the Court of Appeal.,
Sixth Appellate District.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S096988

F033224 Fifth Appellate District

PEOPLE v. MOUNSAVENG

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal
Fifth Appellate District.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S098153D035147 Fourth Appellate District,
D036032 Division One

PEOPLE v. WILLIAMS

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal,
Fourth Appellate District, Division One.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S098775B139931 Second Appellate District,
Division Three

PEOPLE v. CHAVEZ

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal,
Second Appellate District, Division Three.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S107889RODRIGUEZ v. COURT OF APPEAL; (PEOPLE)
Petition for writ of mandate/prohibition denied**S108752**

C038078 Third Appellate District

PEOPLE v. BONILLA

Petition for review denied

S108754A094020 First Appellate District,
Division Three

C.H.E.G., INC v. MILLENIUM BANK

Petition for review denied

S108804D037661 Fourth Appellate District,
Division One

GENTRY et al. v. EBAY INC.

Petition for review denied

S108851

B151542 Second Appellate District,
Division Four

HARDING v. HARDING

Petition for review denied

S108873

A098698 First Appellate District,
Division Four

STEWART v. S.C. (OLIVER)

Petition for review denied

S108910

B147579 Second Appellate District,
Division Two

STADISH v. SOUTHERN CALIFORNIA GAS CO.

Petition for review denied

S108967

B157279 Second Appellate District,
Division Four

MARTINEZ (SAMUEL) ON H.C.

Petition for review denied

S109016

SENATOR v. CA 4 et al. (PEOPLE)

Petition for writ of mandate/prohibition denied

S109033

G027144 Fourth Appellate District,
Division Three

CLARK v. FARALLON GATEWAY

Petition for review denied

S109066

E029475 Fourth Appellate District,
Division Two

WARE v. CHINO UNIFIED SCHOOL DIST.

Petition for review denied

S109071

C034939 Third Appellate District

PEOPLE v. HUNTER

Petition for review denied

S109093

C041454 Third Appellate District

WILLIAMS v. WCAB (STATE
COMPENSATION APPEALS BOARD)

Petition for review denied

Kennard, J., is of the opinion the petition
should be granted.

S109157

E030207 Fourth Appellate District,
Division Two

FORBES v. COUNTY OF SAN BERNARDINO et al.
Petitions for review denied

S109208

C035618 Third Appellate District

PEOPLE v. COROTAN et al.
Petitions for review & publication request denied

S109250

A099507 First Appellate District,
Division One

HANLON et al. v. S.C. (CHIA et al.)
Petition for review denied

S109258

SARVEY v. CALIF. ENERGY COMM.
(GWF ENERGY LLC. et al.)
Petition for review denied

S109264

C037608 Third Appellate District

LIND v. TIG INSURANCE CO. et al.
Petition for review denied

S109269

B148757 Second Appellate District,
Division Eight

PEOPLE v. FRAMPTON
Petition for review denied

S109279

D040010 Fourth Appellate District,
Division One

J. (CASSANDRA) IN RE
Petition for review denied

S109297

A099399 First Appellate District,
Division Four

ELVIN v. S.C. (ELVIN)
Petition for review & publication request denied

S109385

H022455 Sixth Appellate District

PEOPLE v. MENDOZA (GEORGE)
Petition for review denied

S109393

H023821 Sixth Appellate District

MENDOZA (GEORGE) ON H.C.
Petition for review denied

S109394

C037523 Third Appellate District

WESTERN AGGREGATES, INC. v. COUNTY OF
YUBA
Petition for review denied

S109395

B156048 Second Appellate District,
Division Seven

APEX PLASTERING CO. v. S.C. (PALOS VERDES
LIBRARY DISTRICT)

Petition for review and application for stay denied

S109400

E029253 Fourth Appellate District,
Division Two

PEOPLE v. HERNANDEZ

Petition for review denied

S109408

B151847 Second Appellate District,
Division Six

FRIEDMAN, MARRIAGE OF

Petition for review denied

S109410

B147731 Second Appellate District,
Division Three

MAYER v. TRANSNATION TITLE INS. CO.

Petition for review denied

S109412

(S.B.C. No. 00-O-14387)

JEFFERS (THOMAS JOSEPH), IN RE

Petition for writ of review denied

S109414

D040507 Fourth Appellate District,
Division One

JACKSON et al. v. S.C. (BILLINGS)

Petition for review denied

S109418

D040665 Fourth Appellate District,
Division One

KIA MOTORS INC. v. S.C. (DULANSKY)

Petition for review and application for stay denied

S109433

A095535 First Appellate District,
Division Five

PEOPLE v. ANDRADE

Petition for review denied

Kennard, J., and Werdegar, J., are of the
opinion the petition should be granted.

S109436

H022944 Sixth Appellate District

KABIR v. SILICON VALLEY BANK et al.

Petition for review denied

S109446

H021243 Sixth Appellate District

PEOPLE v. MUSZYNSKI

Petition for review denied

S109447

G027871 Fourth Appellate District,
Division Three

RODARTE v. ORANGE COUNTY FIRE
AUTHORITY

Petition for review denied

Kennard, J., and Chin, J., are of the opinion
the petition should be granted.

S109471

B156693 Second Appellate District,
Division Six

PEOPLE v. S.C. (SCHULTZ)

Petition for review denied; CA opinion decertified

S109477

B152858 Second Appellate District,
Division Two

PEOPLE v. FERRO

Petition for review denied

S109481

A097680 First Appellate District,
Division Two

BAQLEH v. S.C. (PEOPLE)

Petition for review and application for stay denied

Kennard, J., Brown, J., and Moreno, J., are of
the opinion the petition should be granted.

S109482

A096372 First Appellate District,
Division Two

FLETCHER v. S.C. (OAKLAND POLICE DEPT.)

Petition for review denied

Kennard, J., Baxter, J., and Chin, J., are of the
opinion the petition should be granted.

S109486

B149158 Second Appellate District,
Division Six

PEOPLE v. NOBLE

Petition for review & publication requests denied

Brown, J., is of the opinion the petition should
be granted.

S109492

A092954 First Appellate District,
Division Four

LOCKHART & RINGGOLD, MARRIAGE OF

Petition for review & publication request denied

Request for judicial notice granted.

S109493

E032191 Fourth Appellate District,
Division Two

BOYER v. S.C. (PEOPLE)

Petition for review denied

S109494

D037561 Fourth Appellate District,
Division One

PEOPLE v. GORDON

Petition for review denied

S109503

B150190 Second Appellate District,
Division One

PEOPLE v. FELIX et al.

Petitions for review denied

S109504

A093769 First Appellate District,
A094088 Division Four

PERSONAL WATERCRAFT et al. v. MARIN
COUNTY BD. SUPERVISORS (EARTH ISLAND)

Petition for review denied

S109528

C039445 Third Appellate District

PEOPLE v. MCGRAW

Petition for review denied

S109536

B132915 Second Appellate District,
Division Four

PEOPLE v. PARK et al.

Petitions for review denied

S109539

H023944 Sixth Appellate District

H. (JARRED), IN RE

Petition for review denied

S109547

B150080 Second Appellate District,
Division Six

PEOPLE v. ENRIQUEZ

Petition for review denied

S109553

B155130 Second Appellate District,
Division One

PEOPLE v. ALEXIS

Petition for review denied

S109555

B151891 Second Appellate District,
Division Six

PEOPLE v. COLEMAN

Petition for review denied

S109556

E030140 Fourth Appellate District,
Division Two

PEOPLE v. CALLEJAS

Petition for review denied

Kennard, J., is of the opinion the petition
should be granted.

S109558

B148766 Second Appellate District,
Division Three

PEOPLE v. MYERS et al.
Petition for review denied

S109565

B149608 Second Appellate District,
Division Four

PEOPLE v. NAVARRO
Petition for review denied

S109566

A095838 First Appellate District,
A096113 Division Four

PEOPLE v. DYKES et al.
Petition for review denied

S109567

F037335 Fifth Appellate District

PEOPLE v. MARTINEZ
Petition for review denied

S109568

B146459 Second Appellate District,
Division Four

PEOPLE v. GIX
Petition for review denied

S109572

H022932 Sixth Appellate District

PEOPLE v. CORTEZ
Petition for review denied

S109574

B148993 Second Appellate District,
Division Eight

PEOPLE v. SANTOS et al.
Petition for review denied

S109575

B160227 Second Appellate District,
Division Two

YERESSIAN v. WCAB (RALPHS GROCERY)
Petition for review denied

S109576

H023139 Sixth Appellate District

PEOPLE v. CASTILLO
Petition for review denied

S109578

B150952 Second Appellate District,
Division Six

PEOPLE v. ALCANTAR
Petition for review denied

S109585

G027219 Fourth Appellate District,
Division Two

PEOPLE v. LEMUS

Petition for review denied

S109586

B151467 Second Appellate District,
Division Five

PEOPLE v. ANDERSON

Petition for review denied

S109589

F039347 Fifth Appellate District

PEOPLE v. MCGEE

Petition for review denied

S109591

B152924 Second Appellate District,
Division Three

F. (JONATHAN) IN RE

Petition for review denied

S109595

B151156 Second Appellate District,
Division Three

PEOPLE v. ANDERSON

Petition for review denied

S109599

A099757 First Appellate District,
Division Five

CHURCH v. S.C. (SF CINEMATHEQUE)

Petition for review denied

S109607

A099682 First Appellate District,
Division Four

CHURCH v. S.C. (ROXIE CINEMA)

Petition for review denied

S109612

H022226 Sixth Appellate District

PEOPLE v. HERNANDEZ

Petition for review denied

S109614

A099477 First Appellate District,
Division Two

GORDON v. S.C. (STROUGHTER et al.)

Petition for review denied

S109617

B145156 Second Appellate District,
Division One

PEOPLE v. ROSATI

Petition for review denied

S109619
C038491 Third Appellate District

PEOPLE v. WATERS
Petition for review denied

S109620
F038100 Fifth Appellate District

PEOPLE v. GULBRANDSON
Petition for review denied

S109622
F040988 Fifth Appellate District

LEVI (ARNOLD WILLIAM) ON H.C.
Petition for review denied

Baxter, J., was recused and did not participate.

S109631
F036818 Fifth Appellate District

PEOPLE v. MULLINS
Petition for review denied

Baxter, J., was recused and did not participate.

S109633
E030479 Fourth Appellate District,
Division Two

PEOPLE v. HERNANDEZ
Petition for review denied

S109635
A091191 First Appellate District,
Division Four

MELARAGNO v. BALGLEY
Petition for review & publication request denied

Request for judicial notice denied.

S109638
B158422 Second Appellate District,
Division One

KOBAYASHI v. ALEMAN
Petition for review denied

S109639
A099862 First Appellate District,
Division Three

JACKSON v. S.C. (PEOPLE)
Petition for review denied

S109640
E030262 Fourth Appellate District,
Division Two

PEOPLE v. MCCOWEN
Petition for review denied

S109641
H022845 Sixth Appellate District

PEOPLE v. JOHNSON
Petition for review denied

S109643

F039385 Fifth Appellate District

PEOPLE v. STEENS

Petition for review denied

S109646F036805 Fifth Appellate District
F037931

PEOPLE v. BADGETT; ON H.C.

Petition for review denied

S109647D037970 Fourth Appellate District,
Division One

PEOPLE v. CUNNINGHAM

Petition for review denied

S109648B153812 Second Appellate District,
Division Four

RILEY v. HILTON HOTELS CORP. et al.

Petition for review denied

S109650

C039673 Third Appellate District

K.(TERRY), IN RE

Petition for review denied

S109651E027669 Fourth Appellate District,
Division Two

PEOPLE v. RICH

Petition for review denied

S109652

H022003 Sixth Appellate District

PEOPLE v. GANT

Petition for review denied

S109653

F038472 Sixth Appellate District

PEOPLE v. SANTIAGO

Petition for review denied

S109654

F037454 Fifth Appellate District

PEOPLE v. SISNEROZ

Petition for review denied

Baxter, J., was recused and did not participate.

S109655B153448 Second Appellate District,
Division Five

PEOPLE v. MANZANARES

Petition for review denied

S109657E029585 Fourth Appellate District,
Division Two

PEOPLE v. SMITH

Petition for review denied

S109658

E030404 Fourth Appellate District,
Division Two

PEOPLE v. LEWIS

Petition for review denied

S109660

A094510 First Appellate District,
Division Five

PEOPLE v. PARHAM

Petition for review denied

S109661

F036905 Fifth Appellate District

PEOPLE v. SOULIOTES

Petition for review denied

S109662

G028879 Fourth Appellate District,
Division Three

P. (JACOB), IN RE

Petition for review denied

S109663

G027656 Fourth Appellate District,
Division Three

PEOPLE v. LUONG

Petition for review denied

S109664

B149414 Second Appellate District,
Division Four

PEOPLE v. PLACENCIA

Petition for review denied

S109666

G029670 Fourth Appellate District,
Division Three

PEOPLE v. FREIRE

Petition for review denied

S109668

D040435 Fourth Appellate District,
Division One

SAFECO INSURANCE CO. v. S.C. (SIMOES)

Petition for review denied

S109669

D037122 Fourth Appellate District,
Division One

PEOPLE v. COX

Petition for review denied

S109671

G028772 Fourth Appellate District,
Division Three

PEOPLE v. SUAREZ

Petition for review denied

S109672

B148724 Second Appellate District,
Division Three

PEOPLE v. KOPY

Petition for review denied

S109673

F036981 Fifth Appellate District

PEOPLE v. SKYLES

Petition for review denied

S109674

D037124 Fourth Appellate District,
Division Two

PEOPLE v. CARRASCO et al.

Petitions for review denied

S109676

D040572 Fourth Appellate District,
Division One

WELLS (RONALD), IN RE

Petition for review denied

S109677

C025971 Third Appellate District

PEOPLE v. WRIGHT

Petition for review & depublication request denied

Kennard, J., is of the opinion the petition
should be granted.

S109679

G031111 Fourth Appellate District,
Division Three

FIREMAN'S FUND v. S.C. (HILL BROTHERS)

Petition for review and application for stay denied

S109681

D038159 Fourth Appellate District,
Division One

PEOPLE v. WHITE

Petition for review denied

S109683

F036692 Fifth Appellate District

PEOPLE v. DEMORAIS

Petition for review denied

Baxter, J., was recused and did not participate

S109686

H024872 Second Appellate District,
Division Two

B. (SUSAN) v. S.C. (ROBERT B.)

Petition for review denied

S109694

E030803 Fourth Appellate District,
Division Two

O. (EDWARD), IN RE
Petition for review denied

S109695

H023514 Sixth Appellate District

PEOPLE v. CHUNG
Petition for review denied

S109699

A097483 First Appellate District,
Division One

ROSELAREN v. CITY OF BERKELEY
Petition for review denied

S109707

A093971 First Appellate District,
Division One

PEOPLE v. RICHARDSON
Petition for review denied

S109708

G029889 Fourth Appellate District,
Division Three

P. (IGNACIO), IN RE
Petition for review denied

S109709

C039201 Third Appellate District

PEOPLE v. VAUGHN
Petition for review denied

S109715

B153207 Second Appellate District,
Division Four

ELLIS, MARRIAGE OF
Petition for review denied

Kennard, J., is of the opinion the petition
should be granted.

S109716

B150712 Second Appellate District,
Division Seven

OGBORN et al. v. LANCASTER et al.
Petition for review denied

S109718

A099955 First Appellate District,
Division Two

REED (PRESTON) ON H.C.
Petition for review denied

S109722

B153286 Second Appellate District,
Division Three

GOODALL v. BRYANT ENTERPRISES INC.
Petition for review denied

S109723

C037759 Third Appellate District

PEOPLE v. CARMICHAEL

Petition for review denied

S109725E030398 Fourth Appellate District,
E031218 Division Two

B. (KATHERINE), IN RE

Petition for review denied

S109726B152070 Second Appellate District,
B160089 Division Five

C. (JONAH AND LUKE), ADOPTION OF

Petition for review denied

S109727A095460 First Appellate District,
Division One

PARKER, MARRIAGE OF

Petition for review denied

S109728D037113 Fourth Appellate District,
Division One

PEOPLE v. BLANEY

Petition for review denied

S109732B144232 Second Appellate District,
Division Seven

MANUKYAN v. TOYOTA MOTOR

Petition for review denied

Request for judicial notice denied.

S109737B143254 Second Appellate District,
Division Three

MARTZ, IN RE MATTER OF

Petition for review denied

S109738

F039127 Fifth Appellate District

PEOPLE v. TAFOLLA

Petition for review denied

S109740H022587 Second Appellate District,
Division Two

PEOPLE v. FISHER

Petition for review denied

S109742E030440 Fourth Appellate District,
Division Two

PEOPLE v. LOPEZ

Petition for review denied

S109744

B142066 Second Appellate District,
Division Two

NAVARRETE v. TELEMUNDO GROUP INC. et al.
Petition for review denied

S109745

B149815 Second Appellate District,
Division Three

PEOPLE v. GUTIERREZ
Petition for review denied

S109748

E021958 Fourth Appellate District,
Division Two

PEOPLE v. NAVA
Petition for review denied

S109749

F025644 Fifth Appellate District

PEOPLE v. RANGEL
Petitions for review denied

Baxter, J., was recused and did not participate

S109750

F037464 Fifth Appellate District

PEOPLE v. SOLIZ
Petition for review denied

S109752

H023249 Sixth Appellate District
H022609

M. (I) IN RE
Petition for review denied

S109753

D038487 Fourth Appellate District,
Division One

BRITT v. SAN DIEGO UNIFIED PORT DISTRICT
Petition for review denied

S109754

B149733 Second Appellate District,
Division Four

PEOPLE v. JOUDEH
Petition for review denied

S109755

B153173 Second Appellate District,
Division Six

PEOPLE v. MARTINEZ
Petition for review denied

S109757

G028736 Fourth Appellate District,
Division Three

PEOPLE v. BELL
Petition for review denied

S109763

B154292 Second Appellate District,
Division Six

PEOPLE v. POTTS

Petition for review denied

S109764

E030264 Fourth Appellate District,
Division Two

F. (NATHAN), IN RE

Petition for review denied

S109765

B151019 Second Appellate District,
Division Two

PEOPLE v. BYRONE

Petition for review denied

S109766

E032255 Fourth Appellate District,
Division Two

ST. GERMAIN et al. v. S.C. (U.S. HOME CORP)

Petition for review denied

S109767

B156194 Second Appellate District,
Division Five

F. (SAMUEL) IN RE

Petition for review denied

S109769

B148184 Second Appellate District,
Division Six

PEOPLE v. SCHOLER et al.

Petitions for review denied

S109770

B146948 Second Appellate District,
Division One

MARRIAGE OF CLARKE & COWLES

Petition for review & publication request denied

S109773

F035312 Fifth Appellate District

PEOPLE v. MCCOY

Petition for review denied

S109777

D036023 Fourth Appellate District,
Division One

PEOPLE v. CAIN

Petition for review denied

S109780

F036006 Fifth Appellate District
F036825
F037191
F037918

NOROIAN v. GREEN

Petition for review denied

S109784

B149685 Second Appellate District,
Division Two

DOVERWOOD TOWNHOME v. MCMULLEN
Petition for review denied

S109787

E032263 Fourth Appellate District,
Division Two

EDWARDS v. S.C. (COUNTRY CLUB VILLAS)
Petition for review denied

S109789

B157643 Second Appellate District,
Division Four

URIBE v. S.C. (PEOPLE)
Petition for review denied

S109791

B147527 Second Appellate District,
Division Eight

PEOPLE v. BANJO
Petition for review denied

S109794

F037179 Fifth Appellate District

PEOPLE v. JACKSON
Petition for review denied

S109797

A099963 First Appellate District,
Division Three

VALLE v. S.C. (PEOPLE)
Petition for review and application for stay denied

S109800

B154956 Second Appellate District,
Division Six

PEOPLE v. HENNEMANN
Petition for review denied

S109802

B148151 Second Appellate District,
Division Two

PEOPLE v. THOMAS
Petition for review denied

S109803

A095410 First Appellate District,
Division Two

PEOPLE v. MARTINEZ
Petition for review denied

S109807

B160975 Second Appellate District,
Division Two

MARAFRANDO, INC. v. A.B.C.
Petition for review and application for stay denied

S109810

B153194 Second Appellate District,
Division Four

W. (ARYA) IN RE
Petition for review denied

S109814

C037973 Third Appellate District

PEOPLE v. LEWIS
Petition for review denied

S109816

B152016 Second Appellate District,
Division Five

PEOPLE v. MARTIN
Petition for review denied

S109817

B156650 Second Appellate District,
Division One

BIXBY HILL v. RANCHO LOS ALAMITOS
Petition for review denied

S109818

E032264 Fourth Appellate District,
Division Two

MIRAMONTES v. S.C. (PEOPLE)
Petition for review denied

S109820

B146957 Second Appellate District,
Division Two

HIDALGO v. CHROME CRANKSHAFT CO.
Petition for review denied

S109821

D038160 Fourth Appellate District,
Division One

PEOPLE v. VELARDE
Petition for review denied

S109823

E030129 Fourth Appellate District,
Division Two

SCHILLER v. RIVERSIDE COUNTY
Petition for review denied

S109828

E030000 Fourth Appellate District,
Division Two

MORROW v. CARONA
Petition for review denied

S109830

D038371 Fourth Appellate District,
Division One

PEOPLE v. ROSSI
Petition for review denied

S109832

E032305 Fourth Appellate District,
Division Two

PEOPLE v. S.C. (PITTNER)

Petition for review denied

S109835

A094361 First Appellate District,
Division Three

PEOPLE v. MEYERS

Petition for review denied

S109836

B153739 Second Appellate District,
Division Two

PEOPLE v. ARCHULETA

Petition for review denied

S109848

B150029 Second Appellate District,
Division Four

E. (RYAN), IN RE

Petition for review denied

S109849

B151419 Second Appellate District,
Division Five

PEOPLE v. WEAVER

Petition for review denied

S109873

G027445 Fourth Appellate District,
Division Three

PEOPLE v. FOUTS

Petition for review denied

S109882

G028129 Fourth Appellate District,
Division Three

PEOPLE v. FUGA

Petition for review denied

S110028

Fourth Appellate District,
E032340 Division Two

GLOSS v. S.C. (PEOPLE)

Petition for review and application for stay denied.

S110037

E032307 Fourth Appellate District,
Division Two

KOHANOFF v. ALCOHOLIC BEV. CONTROL
APPEALS BOARD (DEPT. OF A.B.C.)

Petition for review and application for stay denied

S110126

D039525 Fourth Appellate District,
Division One

BROWN v. S.C. (PEOPLE)

Petition for review and application for stay denied

S110151

B160955 Second Appellate District,
Division Six

CARDONA v. CA 2 (PEOPLE)

Petition for writ of mandate/prohibition denied

S110215

B160757 Second Appellate District,
Division One

VERBA (MARK NELSON) ON H. C.

Petition for review denied

S110486

B161595 Second Appellate District,
Division One

MCKNIGHT v. S.C. (PEOPLE)

Petition for review and application for stay denied

S101478

CLAY (ROY) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S105381

WELCH (EUGENE) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S105405

WILLIAMS (STEPHEN) ON H.C.

Petition for writ of habeas corpus denied

S105406

STUART (WENDELL) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

Brown, J., was recused and did not participate.

S105410

FRANKLIN (JEFFREY A.) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S105457

SANDOVAL (GEORGE H.) ON H.C.

Petition for writ of habeas corpus denied with
citation(s)

S105486

MASON (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S105511

OROPEZA (HECTOR) ON H.C.
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S105567

LANG (DANIEL J.) ON H.C.
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S105605

TANORI (ANTHONY) ON H.C.
Petition for writ of habeas corpus denied

S105616

ECCHER (GARY) ON H.C.
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S106056

GLEASON (MARK) ON H.C.
Petition for writ of habeas corpus denied

S106079

SOROKA (VLADIMIR) ON H.C.
Petition for writ of habeas corpus denied

S107689

LITMON (DAVID) ON H.C.
Petition for writ of habeas corpus denied

S107695

JONES (BENNIE RAYDELL) ON H.C.
Petition for writ of habeas corpus denied

S107699	COOPER (CORNEAL) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S107700	JONES (STEVEN WILLIAM) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S107702	EDWARDS (REGINALD) ON H.C. Petition for writ of habeas corpus denied
S107703	PRECIADO (LUIS) ON H.C. Petition for writ of habeas corpus denied
S107711	WILLIAMS (TILDEN R.) ON H.C. Petition for writ of habeas corpus denied
S107743	HOLLOWAY (TERRY LEE) ON H.C. Petition for writ of habeas corpus denied
S107744	KY (LUONG BINH) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S107759	WILLIAMS (RONNIE) ON H.C. Petition for writ of habeas corpus denied
S107807	ABDULLAH (IBRAHIM) ON H.C. Petition for writ of habeas corpus denied
S107820	KINCHERLOW (ERICK) ON H.C. Petition for writ of habeas corpus denied
S107823	CARDENAS (JESSE) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S107867	DWIGHT (MATTHEW) ON H.C. Petition for writ of habeas corpus denied
S107941	FLOWERS (TWONE TORRI) ON H.C. Petition for writ of habeas corpus denied
S107952	CRAMER (KIRK DOUG) ON H.C. Petition for writ of habeas corpus denied
S107963	BETANCURE (NICK) ON H.C. Petition for writ of habeas corpus denied
S107970	WILLIAMS (JAMES L.) ON H.C. Petition for writ of habeas corpus denied
S107972	HERNANDEZ (GABRIEL L.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S107992	HAMPTON (DWAYNE A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108016	SILIEZAR (MARVIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108018	MCDONALD (KEVIN RAY) ON H.C. Petition for writ of habeas corpus denied
S108032	PERCY (ELVIS DURAN) ON H.C. Petition for writ of habeas corpus denied
S108033	LITMON (DAVID) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S108044

FINNEY (GREGORY) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109460

LITMON (DAVID) ON H.C.
Petition for writ of habeas corpus denied

S109953

BURKES (ZACHARY) ON H.C.
Petition for writ of habeas corpus denied

S105232

B151669 Second Appellate District,
Division Two

WASHINGTON MUTUAL v. S.C. (GUILFORD)
Depublication requests denied (case closed)

S108586

B151461 Second Appellate District,
Division Seven

HALL v. COURT REPORTERS BOARD
Depublication request denied (case closed)

S109121

B151826 Second Appellate District,
Division Four

MATTEL INC. v. LUCE, FORWARD,
HAMILTON & SCRIPPS et al.
Depublication request denied (case closed)

S109191

A096404 First Appellate District,
Division Five

INSURANCE COMPANY OF THE WEST v.
OBRIEN-KREITZBERG INC.
Publication request denied (case closed)

S109259

B149744 Second Appellate District,
Division Five

LOS ANGELES COUNTY v. SMITH
Publication request denied (case closed)

S109276

E029769 Fourth Appellate District,
Division Two

GRABER et al. v. CITY OF UPLAND et al.
Depublication request denied (case closed)

S109301

A093827 First Appellate District,
Division Four

PEOPLE v. LAMLIN
Publication request denied (case closed)

S109304

C038016 Third Appellate District

SCOTT VALLEY CITIZENS v. COUNTY OF
SISKIYOU (KIEWIT PACIFIC CO.)

Publication request denied (case closed)

S109594A096578 First Appellate District,
Division Five

BENICIA, CITY OF v. REMY et al.

Publication request denied (case closed)

S109602

F039698 Fifth Appellate District

H. (VENINA), IN RE

Publication request denied (case closed)

S110136B153031 Second Appellate District,
Division One

BECERRA v. BURNS INTL. SECURITY et al.

Publication request denied (case closed)

S105271B145238 Second Appellate District,
Division Four

PEOPLE v. HERNANDEZ

Extension of time granted

Appellant's time to serve and file the answer
brief is extended to and including
November 12, 2002.

No further extensions will be granted.

S107266E030384 Fourth Appellate District,
Division Two

PEOPLE v. WILLIAMS

Extension of time granted

On application of respondent and good cause
appearing, it is ordered that the time to serve
and file the respondent's answer brief on the
merits is extended to and including Nov. 14,
2002.

S108187

C032839 Third Appellate District

PEOPLE v. STOWELL

Extension of time granted

On application of appellant and good cause
appearing, it is ordered that the time to serve
and file the opening brief on the merits is
extended to and including November 6, 2002.
No further extensions will be granted.

S108751B121021 Second Appellate District,
Division FourWINTER v. DC COMICS et al.
Order filed

The application of appellant for extension of time to January 10, 2003, is denied without prejudice to renewing the application after the opening brief on the merits has been filed.

S004770PEOPLE v. MEMRO (HAROLD RAY)
Counsel appointment order filed

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Harold Ray Memro, filed October 4, 2002, is granted.

The order appointing Thomas J. Nolan as counsel of record for condemned prisoner Harold Ray Memro, filed December 1, 1987, is hereby vacated.

Peter Giannini, James S. Thomson, and Saor Stetler are hereby appointed attorneys of record for condemned prisoner Harold Ray Memro, the former (Mr. Giannini) as lead counsel and the latter two attorneys (Mr. Thomson and Mr. Stetler) as associate counsel. Counsel are appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

The request for appointment of Matthew Campbell as associate counsel of record for condemned prisoner Harold Ray Memro is denied. (See Cal. Rules of Court, rule 76.6(e)(1).)

S005499PEOPLE v. RAMOS (MARCELINO)
Counsel appointment order filed

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Marcelino Ramos, filed September 18, 2002, is granted.

The order appointing Michael D.

Laurence as counsel of record for condemned prisoner Marcelino Ramos, filed January 10, 1989, is hereby vacated. The Federal Public Defender for the Central District of California is hereby appointed attorney of record for condemned prisoner Marcelino Ramos. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S011425

PEOPLE v. SEATON (RONALD HAROLD)
Order filed

Good cause appearing, the application of appointed associate counsel for permission to withdraw as attorney of record for condemned prisoner Ronald Harold Seaton, filed August 30, 2002 (additional supporting declaration filed Sept. 25, 2002), is granted.

The order appointing Dorothy A. Streutker as associate counsel of record for condemned prisoner Ronald Harold Seaton, filed September 10, 1993, is hereby vacated.

James T. Fousekis shall remain as counsel of record for condemned prisoner Ronald Harold Seaton for purposes of all postconviction proceedings in this court, and for subsequent proceedings, the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S042224

PEOPLE v. CRUZ (THOMAS V.)
Order filed

Good cause appearing, the application of appointed lead counsel for permission to withdraw as attorney of record for appellant Tomas Verano Cruz, filed August 27, 2002, is granted.

The order appointing Michael R. Snedeker as lead counsel of record for appellant Tomas Verano Cruz, filed October 28, 1998, is hereby vacated.

Pending further order of this court,

appointed associate counsel Lisa R. Short is hereby designated as counsel of record for appellant Tomas Verano Cruz for the direct appeal and related state habeas corpus/executive clemency proceedings, in the above automatic appeal now pending in this court.

S072693

HILL (MICHAEL) ON H.C.
Order filed

Petitioner's 'Second Motion For Discovery of Files and Records; in the Alternative, Motion for Preservation of Files and Records Until Further Order of the Court,' filed April 5, 2002, seeking an order from this court granting petitioner discovery from the records and files of the Oakland Police Department and the Office of the Alameda County District Attorney, is denied. (*People v. Gonzales* (1990) 51 Cal.3d 1179, 1258.).

S030416

PEOPLE v. OCHOA (SERGIO)
Order filed

Court's 150-day statement

S107944

GILLIS ON DISCIPLINE
Petition for writ of review denied; recommended discipline imposed

It is ordered that **Thomas Oscar Gillis, State Bar Number 40186**, be suspended from the practice of law in the State of California for three years, that execution of the three-year Department of the State Bar Court in its opinion filed on April 15, 2002. Furthermore, Gillis is ordered to take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and to provide satisfactory proof of his passage of that examination to the State Bar's probation unit in Los Angeles within that same year. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878,

891, fn. 8.) Gillis is further ordered to comply with rule 955 of the California Rules of Court and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are to be paid to the State Bar in accordance with Business and Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S107949

KRONENBERG ON DISCIPLINE

Petition for writ of review denied; recommended discipline imposed

It is ordered that **DONALD BRUCE KRONENBERG, State Bar No. 98590**, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on February 19, 2002, as modified by its order filed April 4, 2002. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance

with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S108964

ZACKEY ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **JONATHAN THOMAS ZACKEY, State Bar No. 120335**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar. *(See Bus. & Prof. Code, § 6126, subd. (c).)

S109176

SEGAL ON DISCIPLINE

Recommended discipline imposed

It is ordered that **LLOYD M. SEGAL, State Bar No. 68491**, be suspended from the practice of law for five years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for three years and until he makes restitution to Lucien Wolff (or the Client Security Fund, if appropriate) in the amount of \$1,400.50 plus 10% interest per annum from May 3, 2002, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for

Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on June 20, 2002. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code, section 6086.10 and payable in accordance with Business and Professions Code, section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109209

BRIGMAN ON DISCIPLINE

Recommended discipline imposed

It is ordered that **NAOMI SUE BRIGMAN, State Bar No. 182515**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be actually suspended from the practice of law for 90 days and until the State Bar Court grants a motion to terminate her actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California as recommended by the Hearing Department of the State Bar Court in its decision filed on June 3, 2002. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating her actual suspension. If respondent is actually suspended for two years or more, she shall remain actually suspended until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the

Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that she comply with rule 955 of the California Rules of Court, and that respondent perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109862

KISSINGER ON RESIGNATION

Order filed

The voluntary resignation of **MICHAEL JAMES KISSINGER, State Bar No. 91584**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109864

BUTTERFIELD ON RESIGNATION

Order filed

The voluntary resignation of **JOHN DAVID BUTTERFIELD, State Bar No. 154152**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after

the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S110548

BERKOW ON RESIGNATION

The voluntary resignation of **George Berkow, State Bar No. 55457**, as a member of the State Bar of California is accepted

S110551

BULLITT ON RESIGNATION

The voluntary resignation of **Richard S. Bullitt, State Bar No. 137343**, as a member of the State Bar of California is accepted.

S110552

FAHDEN ON RESIGNATION

The voluntary resignation of **Antone H. Fahden, State Bar No. 70782**, as a member of the State Bar of California is accepted

